

## **CITY COUNCIL MINUTES**

**August 8, 2011**

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, August 8, 2011 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with Vice-President Adams presiding. The following business was conducted.

**These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.**

### **ROLL CALL:**

Present: McGinn, Mosby, Robinson, Friend, Adams, John.

Absent: Bredhold, Walker, Watts.

There being six (6) members present and three (3) members absent and six (6) members representing a quorum, I hereby declare this session of the Common Council officially open.

### **PLEDGE OF ALLEGIANCE**

This evening the pledge of allegiance was led by City Clerk, Alberta Matlock.

Fellow Councilmen and those in the audience, welcome to the August 8, 2011 meeting of the Common Council.

### **COUNCIL ATTORNEY**

John Hamilton is City Council Attorney this evening.

### **SERGEANT AT ARMS**

There is no Sergeant at Arms this evening.

### **READING AND AMENDMENT OF MINUTES**

Is there a motion to approve the minutes of the July 25, 2011 meeting of the Common Council as written?

**Councilman Friend** moved and **Councilwoman Robinson** seconded the motion to approve the minutes of the regular meeting of the Common Council held July 25, 2011. Voice vote. So ordered.

### **REPORTS AND COMMUNICATIONS**

#### **IN YOUR AUGUST 5<sup>TH</sup> PACKET:**

\*City Council Agenda for August 8, 2011 meeting.

\*Committee Meeting Schedule.

\*City Council Meeting Minutes from the July 25, 2011.

\*Rezoning Ordinances R-2011-7, R-2011-8, R-2011-9, R-2011-10 and R-2011-11.

\*Area Plan Commission minutes and staff reports from July 14, 2011 meeting.

\*News Releases:

City Pool Hours of Operation

Building Commission, Code Enforcement to Consolidate

Evansville Water and Sewer Utility to temporarily Change Disinfectants

METS Free Ride Program Concluding

**Councilman Friend** moved and **Councilwoman Robinson** seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

**CONSENT AGENDA**

**FIRST READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE R-2011-7** **TO APC** **C-02 TO C-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2916 E. Morgan Avenue.

Petitioner: Scott Elpers  
Owners: John E. Friend  
Representative:  
District: John Friend, Ward 5

**ORDINANCE R-2011-8** **TO APC** **R-2 TO C-4 and M-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1227 E. Michigan Street, Evansville, Indiana

Petitioner: Patrick A. Rayburn  
Owners: Same  
Representative: Krista B. Lockyear  
District: Wendy Bredhold, Ward 3

**ORDINANCE R-2011-9** **TO APC** **R-2 TO C-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 17 Washington Ave, Evansville, Indiana

Petitioner: Evansville Brownfields Corp.  
Owners: Same  
Representative: Carolyn Rush, Secretary/Treasurer  
District: Connie Robinson, Ward 4

**ORDINANCE R-2011-10** **TO APC** **C-4 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3404 W. Virginia Street, Evansville, Indiana

Petitioner: Brian and Julie Lamble  
Owners: Same  
Representative:  
District: B.J. Watts, Ward 6

**ORDINANCE R-2011-11** **TO APC** **C-4 TO M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2020 S. Kentucky Ave, Evansville, Indiana

Petitioner: David Condi  
Owners: Same  
Representative:  
District: Connie Robinson, Ward 4

**Councilman John** moved and **Councilman Friend** seconded the motion to adopt the consent agenda as written. Voice vote. So ordered.

**CONSENT AGENDA**

**SECOND READING OF ZONING ORDINANCES**

**ORDINANCE R-2011-3                      FROM APC                      R-1 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3624 Pollack Avenue, Evansville, IN 47714

Petitioner:                Paul K. Neville II  
Owners:                    Melba Elvira Neville  
Representative:        Paul K. Neville II  
District:                   Missy Mosby, Ward 2

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 9 affirmative votes.

**ORDINANCE R-2011-4                      FROM APC                      C-4 w/U&D Comm. TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3020 E. Morgan Avenue

Petitioner:                3020 E. Morgan Ave., LLC c/o Rick Bartlett  
Owners:                    Same  
Representative:        Leslie C. Shively  
District:                   John Friend, Ward 5

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 9 affirmative votes.

**ORDINANCE R-2011-5                      FROM APC                      R-1 TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 211 Fielding Road

Petitioner:                Evansville Vanderburgh School Corporation  
Owners:                    Same  
Representative:        Rick Cameron/Roger Lehman  
District:                   Dan McGinn, Ward 1

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 8 affirmative votes and one abstention.

**Councilman Friend** moved and **Councilwoman Mosby** seconded the motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report. Voice vote. So ordered. Council now stands at Third Reading.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2011-3                      FROM APC                      R-1 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3624 Pollack Avenue, Evansville, IN 47714

Petitioner:                Paul K. Neville II

**Paul Neville:** Thank you for hearing me. My name is Paul K. Neville II. The purpose for me being here today is to ask the council to rezone a property which I live at from R-1 to R-2 to allow me to add a place for my parents to come live at. Originally I thought that with them being

blood relatives it wouldn't have to be R-2 but I went and talked to the Area Plan Commission and the said that if I had another kitchen I had to have R-2. There is one lot there that is just shy of two acres that I'm asking to be rezoned. I don't know quite what to say. Evidentially what I thought was quite simple has turned into a little bit of controversy. But, the problem that I've got and now I'm kind of up against the wall as far as time frame, to go back and redo it and come back and put any type of other commitments on the property would put me into October, back here to Area Plan next month and back here in October. I wanted to get started so I could have a place for my parents to move to when they tear down the old grocery store. To me it's pretty straight forward. The coverage on the lot would be nowhere near what is allowed because the size of the lot. We have one lot there. If a person were to sub-divide it into R-1 you could get anywhere from six to eight to ten homes on it. If it was to ever change to try and put anything multiple, I would have to send out notices again and I would not have to appear before the Council, I would have to appear before the Area Plan Commission to make sure that everything was done properly there. I'm not sure what else to say other than ask if you have any questions?

**Councilwoman Mosby:** Hi Mr. Neville, we have had several conversations and the concerns of the neighbors, and I myself live just down the street. They are very concerned that with this R-2, I understand that you want to do this duplex for your parents to live and you live on one side. But, with this R-2 and it being two acres, you could also come in later and do more than one duplex. That is why I would like to ask for a Use and Development commitment from you on that. I really don't want to see that turn into several duplexes. It's not that type of neighborhood.

**Paul Neville:** I very much understand and we have talked earlier. If I had more time, I really wouldn't have a problem with it because the only thing that I can think that you're asking me is to not subdivide it. From talking to the Area Plan Commission and other people, they even questioned what type of commitments I would be putting on it other than to not sub-divide it. The one thing that I would say is the more that I invest in this property, which is a nice property the very much less likely I am to tear it down to build something else. I live on the property. That's the proposed use and the only thing that I can do with it, the way it is now, without sending notices and going back to public hearing is exactly what I'm asking to do with it.

**Councilwoman Mosby:** I know that there are a lot of concerns from the neighbors. I've taken numerous phone calls and there is several that I know want to speak here shortly. We are just asking for a Use and Development commitment so that they can rest assured at night that this is not going to happen.

**Vice-President Adams:** Where are your parents living now, sir?

**Paul Neville:** They still live over the grocery store at Green River Road and Pollack. I don't know if you have noticed that with the Area Plan and there has been different activity in the process of being sold. It will be torn down within the next couple of months.

**Vice-President Adams:** Any other comments?

**Councilman McGinn:** Just a question, I know that we have someone from Area Plan and John on this too. If this entire lot is rezoned R-2 can it then be sub-divided and six to eight duplexes put one on each lot?

**Paul Neville:** I don't know how many you could get on there.

**John Hamilton:** I don't know how many you could get on there but, he could go through the sub-division process and ask for that to be done.

**Councilman McGinn:** And then that takes that approval.....I know it's a possibility, but the possibility then of multiple duplexes being on this one 1.9 acre site is taken out of the hands of elected officials.....

**Councilwoman Mosby:** Yes, we would not have a vote on that.

**John Hamilton:** Area Plan and I think some department heads are involved with this.

**Councilman McGinn:** That really bothers people. It seems to have gotten much more important in the last year or two for various reasons that the people that call us, they want decisions that affect their neighborhoods, they want it in the hands of elected officials, rather than the Area Plan Commission. I think Area Plan Commission does an outstanding job. I watch the Area Plan Commission show and I think they do but, that is always subject to change. I haven't asked you on this John. There is no way to prove this subject to a use and development commitment to avoid the time. It has to be a part of it when it is originally filed.

**John Hamilton:** Correct, use and development can only be done at Area Plan.

**Councilman McGinn:** It is a concern. It truly is a concern.

**Councilman Friend:** If this gets voted down, he can't do anything for a year, right?

**John Hamilton:** Right.

**Councilman McGinn:** What if it's just continued and it goes back to Area Plan?

**John Hamilton:** You can move and take action for that purpose.

**Councilwoman Robinson:** Are you willing to do a Use and Development?

**Paul Neville:** I very much understand your concern. Until Ms. Mosby had contacted me earlier today and I further investigated it, I assumed that I had to come back, go through Area Plan and go through City Council again. I knew that if I changed any use I had to take and go back to the public hearing process. Now, Mr. McGinn I was not aware, I hadn't considered the fact that it being more than an elected official versus an appointed official because I've not considered in my head these other things. The problem that I have and it just kind of put me in a bad position is that I did not anticipate this and whenever I talked to various people, they were not sure what I could even put in a commitment and I've even had a comment that for me to take and put a commitment down that I wouldn't do anything ever with it other than this was even legal!

**Councilman McGinn:** The commitment can be removed also. In fact I think there is one on today where they are going to remove a commitment. But, the way it works if this 1.9 acre plot gets zoned R-2; there is not really a lot of discretion with the Area Plan Commission, if the requirements of the sub-division control ordinance are met. It's pretty much automatic. And there is a lawyer that is taking that up on appeal once or twice and that's basically it isn't it?

You know it too. So there is no discretion whatsoever with any elected official or anything. It's just whether or not you comply with the specific requirements and it cannot be stopped. Who are here against?

**Councilwoman Mosby:** Councilman McGinn, I have had several phone calls, I have had people stop at my house.

**Councilman McGinn:** I've had a couple of phone calls on this.

**Councilwoman Robinson:** I've also had phone calls on this.

**Councilman John:** I think that he should be made aware that in order for this to pass, there are only six members here, three are absent. You need five members for this to pass. You need five of the six.

**Paul Neville:** Well, the bottom line is, I guess what I realistically need to do and like I made a comment to her that this puts me in a position they may end up having to find someplace else to move to. I can't ask them at eighty something years old to move and then move again a few months later. I very much doubt that I will get through now. Out of respect for the Council I guess what I'll do is go ahead and ask for a continuance. Depending on what goes on I probably will not re-file a use and development and end up dropping it because I don't think it would be fair for me to ask them to move and then move again.

**Councilwoman Robinson:** Why would they have to move again?

**Paul Neville:** If I wait until October to get approval that store will already be tore down by then. I won't have had a chance to build a facility for them to move to.

**Councilwoman Robinson:** He wouldn't have to go back to Area Plan Commission to get an approval for a Use and Development would he?

**Paul Neville:** From what I understand, I have until the 16<sup>th</sup> or the 15<sup>th</sup> to file an amendment then I have to go back to Area Plan next month and then I have to go back to you all then on October 10<sup>th</sup>.

**Councilman John:** Would it be possible for them to stay in one of their 1500 units?

**Paul Neville:** This sounds bad but at my mom's age she is a little particular when we go and pack everything up! She is going to want to put it somewhere and be done with it. I guess with sixty percent of the Council I could ask for you to reconsider from what I understand. Is that what you said earlier?

**Vice-President Adams:** I guess I don't understand why moving people twice, even if it would only be on a temporary basis is going to cause great havoc in your home. It sounds to me like you are kind of getting cold feet about the whole thing. I would like to hear from the people.

**Larry Thompson:** I live at 1930 Joyce Avenue. I have lived in that same home for forty-six years. Maybe I'm out of place, but Mr. Neville is concerned about his parents that big house he's got five bedrooms and two baths now. I think that they should be comfortable in his home

until they get things lined out. You've got a big house. Share it with your parents for awhile. I do have some prepared remarks. I'll do the best that I can. We know what the issue is. The neighbors are concerned about water drainage. Water stands in back yards after hard rains for several days. The property at 3624 Pollack Avenue is situated far back from Pollack Avenue and away from the storm sewers on the street. There is a large home with five bedrooms and two baths that has 2812 square feet, according to the internet. There is also on this same property a large pole barn, a covered walkway, another game room or a recreation room. I understand that someone has put a kitchen in there illegally. There is a kitchen in there. They have this big game room and a swimming pool. According to the conversation with Paul K. Neville, he wants to build a place for his parents. It would be from 1,000 to 1500 square foot. One or two bedrooms and a kitchen with one or two baths and maybe a family type room, plus a two car garage. We don't see how the water from the area, under roof, could get to the storm sewers cause it's got to go to the street. That's a pretty good distance. The neighbors do not need any more water in their yards. In this conversation around May 19<sup>th</sup> Paul Neville would not commit to not putting up apartments later on. Paul Neville said he could put up thirty-six apartments on his nearly two acres. This is a conversation that we had. You can question him about it if you like. At the Area Plan Commission when asked about the neighbors request for a Use and Development Commitment, do not come back to do any more duplexes or apartments, Mr. Neville said a flat no. He also said that he has built 1500 apartments at this Planning Commission Meeting. The neighbors would like Mr. Neville to make a commitment not to build or try to rezone any other buildings other than he plans for his elderly parents. We are not against his parents, don't get me wrong. We would like to know what happens if he sells this property? We don't know. He can flip it tomorrow. Neighbors have anxiety and concern about this rezoning and what Mr. Neville will do. Some of the concerns are decreased property value, increased foot and vehicle traffic. We live on Joyce Avenue and there are apartments on Covert and Pollack. We get a lot of foot traffic and vehicle traffic. We are concerned about vandalism and theft and there have been numerous vandalisms and theft incidents in the neighborhood. We get a lot of traffic between the apartments on Vann Ave. and Covert using Joyce so we do not feel safe or secure. We have neighbors who have families with small children and young children whose safety is a big concern. Many of the neighbors are elderly, in their seventies and eighties and many have been home owners for forty, fifty, up to sixty years. They have lived in their homes since they were built, some of them. If I'm doing wrong, you let me know. The neighbors request the City Council to have Paul Neville II, to have a use and development commitment to not have any more additions than what he plans for his parents or for the City Council have Paul Neville propose an amendment to have 3624 Pollack rezoned from R-1 to R-2. We are asking for it to be tonight. I thank you for your time, I appreciate it. If you have any questions I would be happy. If you question my conversations with Mr. Neville, we can talk about it.

**Councilwoman Mosby:** I just want to add to what Mr. Thompson was talking about. The apartment buildings are a couple of blocks down to the south and to the west. So, there isn't any apartment complexes right in this area? It is all residential there. I don't have a problem with it being just a duplex for him to keep his parents, but I don't want to see several duplexes going up there because it's going to hurt the integrity of that area.

**Vice President Dan Adams:** Any other questions? Thank you. Is there anyone else that would like to speak?

**Crysta Matlock:** I'm at the back side of the property. The run off of water is going to be a big concern. That is a very large field in that area. I haven't lived in the area for a lot of years like a

lot of the people here. I'm a single parent who has three children on Carroll Drive and I've counted and there is at least twelve or fourteen kids living on that street alone. It is a dead end street. When my parents helped me to get that house, we got it because of the location and because I wanted a safe place for my kids to play. There are people who come through and cut through the property and I'm worried about that. I know for a fact that the pool house does have a kitchen in it. My children have been in it. I know that it is equipped for his parents to stay in there until he could find something else for them.

**Vice-President Adams:** Any further comments?

**John Hamilton:** Janet, this is for clarification. Is there anything that would prevent his parents from living in the house temporarily until the issue is resolved?

**Janet Greenwell:** To live in the house with him? No. None at all.

**Vice-President Adams:** Mr. Neville, would you like to wrap this up.

**Paul Neville:** I would like to say that I never anticipated this much opposition. The comment about me putting apartments there, I think needs to be put in context. I was pressed over and over again, would I ever put apartments there. I tried to explain to him. You never can tell what the future will hold. In twenty or thirty years, things may change to the point that there needs to be more housing closer in. It has to be on bus lines. Things have changed and he asked me how many would it be possible to put there? I gave him an honest answer. You end up with twelve to fifteen sometimes higher units per acre. But, this has never been my plan and I've never expressed any desire for this zoning to be for apartments. It's R-2 and I understand that that is a single duplex on a single lot, which is what I thought I had here. I very much understand the councilmen and the resident's concerns. I just don't know what I can do about it. I guess that I'm asking to go ahead and send it back to .....postpone it. I'll have to get with my parents. If they want me to take and file a use commitment, I think I have another week or so to do it. If I don't then next month we will just go ahead and withdraw it or whatever. I'm worried about the time frame. They may decide that they want to be someplace else.

**Councilman Friend:** Like you say in the future things change. You can always have the use and development taken off. These things change.

**Paul Neville:** My biggest concern is not what's in the use and development, it's the time frame. I never anticipated this for lack of a better term, blowing into this big issue.

**Vice-President Adams:** I'm having trouble with the time frame, sir. You've got the bedrooms, you've got the kitchen and you have the refrigerator. All you have to do is move your family into that one building and you can go until spring to do that if you want to. Tell us what you would like to do tonight?

**Paul Neville:** Go ahead and continue it. I would like to say that it's a three bedroom house. It was built a long time ago. In the thirties it was remodeled right after the war. It is basically a three bedroom house with two baths.

**Vice President Adams:** Thank you for your comments sir.



**Councilman McGinn:** Is the motion to send it back to APC?

**Councilman John** moved to continue Ordinance R-2011-3. **Councilwoman Mosby** seconded the motion.

**ROLL CALL:**

**Ayes:** McGinn, Mosby, Robinson, Friend, Adams, John.

There being (6) Ayes and (0) Nays, Ordinance R-2011-3 will be sent back to Area Plan...

**Councilwoman Mosby:** Mr. Neville, if you want to set up a meeting I would be glad to sit down with you and some of the homeowners and see what we could come up with.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2011-4                      FROM APC                      C-4 w/U&D Comm. TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3020 E. Morgan Avenue

Petitioner: 3020 E. Morgan Ave., LLC c/o Rick Bartlett

Mr. President and members of Council my name is Les Shivley representing the petitioner Rick Bartlett. I'm really surprised that we don't have a Sergeant at Arms here this evening knowing that I would be here. The reason for this rezoning is this was an old Spa Business. The Spa Business went out of business. There are a couple of things that I want to call to your attention. I don't think that the staff report gives a complete picture of the zoning classifications in the area. If you go east, right next to this property is a C-4 without a use and development commitment. Then you have a C-2 and a C-1. Going west you have an R-1, that's Mr. Bucks property and I will talk about that in a moment. Going further to the west you have a C-1, then south is McDonalds Golf Course. This did have a Use & Development commitment and this was a use and development commitment that was about as narrow as you can get. What we would like to do is to remove the Use and Development Commitment. Mike Richardson has his property listed for sale, he's had a lot of interest, but the use and development commitment obviously is an impediment to selling it to another commercial concern. The only property owner that really could be affected by a commercial use is Mr. George Buck. He lives right next to the property. When I met with Mr. Buck I learned that he was born at this location so it's been in the family for a long time. What we have done is that we have entered into a private covenant with Mr. Buck. It will be placed of record that will run with the land that will run in his favor and so long as it's residential and remains single family residential subsequent owners of that property would be able to enforce the covenant as well. We have eliminated twenty-six commercial uses, most of those involving saloons and bars. He is happy with that. He actively participated with us in drafting the language. Again, we've eliminated twenty-six uses for this private covenant and we have agreed that if this rezoning is approved, it will be placed on record accordingly and I will provide a copy although the City Council or the Plan Commission can't enforce private covenants. We did make a copy of the covenant of record with the Planning Commission at the meeting last month. I would be more than happy to answer any questions.

**Councilman McGinn:** Did you say that the covenant runs with the land?

**Les Shively:** Yes. I will say one thing. However, if someone buys the property and rezones it to commercial, all bets are off for obvious reasons. The reason for the covenant is to protect the abutting property. In the future, future owners that continue to use it as a single family residential use.

**Councilman McGinn:** But again, if they buy Mr. Buck's property.....

**Les Shively:** If he sells it to you tomorrow Mr. McGinn and you continue the current use as a single family residence, you will have the protection of that covenant.

**Councilman McGinn:** But the homeowners can get rid of that covenant if the next person who buys it wants to be C-4.

**Les Shively:** He controls the show.

**Councilman Adams:** Is Mr. Buck here tonight?

**Les Shively:** No, Mr. Buck is not here tonight? Whoever buys the property, it's a different use than it is now. They will have to go to Commercial Site Review and make sure that they have parking, sufficient screening etc.

**Councilman Friend:** This is in my ward. I haven't gotten any calls on it. It's about two doors down from me.

**Councilman McGinn:** The building is vacant now. How long has it been vacant?

**Les Shively:** Couple of years.

**Councilman John** moved and **Councilman Friend** seconded the motion to adopt Zoning Ordinance R-2011-4 and call the roll.

**ROLL CALL:**

**Ayes:** McGinn, Mosby, Robinson, Friend, Adams, John.

**Absent:** Bredhold, Walker and Watts.

There being six (6) ayes and zero (0) nays, Zoning Ordinance R-2011-4 is hereby declared adopted.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCES**

**ORDINANCE R-2011-5**

**FROM APC**

**R-1 TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 211 Fielding Road

Petitioner: Evansville Vanderburgh School Corporation

**Kevin Gerteisen:** Ladies and Gentleman of the City Council my name is Kevin Gerteisen, I am manager of construction maintenance EVSC. I am here this evening concerning our rezoning petition for a new sign being constructed at Harrison High School's multipurpose facility. This sign will ultimately hide the north side of the existing scoreboard that's there. It's kind of on the

sight with all of the steel structure that's there. While we are striving to build this first class facility in pretty tough financial times, a strategy was developed hopefully to obtain contributions from private corporations with the mindset that the funds would go to help offset this project and future projects, such as, hopefully construction of some new locker rooms and some updates to the existing facility. With the sign that is proposed and being built is we have small message boards and small signs on there. The EVSC is obviously not in the business of competing with corporations that sell advertising. We are looking strictly for off premise use of this sign, so with that I ask hopefully for approval of this piece of land for use of this sign. If you have any questions I will be more than happy to answer them.

**Councilman Adams:** Give me an example of what the school corporation would put up there.

**Kevin Gerteisen:** Ultimately upcoming games. PTA would use that as announcements. Two of the signs are designated for the Harrison Warriors emblem, so that we would have that, but it would be like announcements and things like that. A lot of people get things off of the message boards. We have had great success with these message boards. The other signs would just be open.

**Councilman Adams:** Would it be available for School Board Candidates?

**Kevin Gerteisen:** I would say that it would be open for anything at this point. I don't know if I'm in a position to answer that question.

**Councilman Adams:** I'm a little bit confused here. So, someone could actually rent that? A private citizen could rent that?

**Kevin Gerteisen:** No, we are not looking for rental. If a corporation would want to make a donation to the EVSC Foundation to help offset costs. Things like that.

**Councilman McGinn:** What faces Lloyd, the Lloyd Expressway? Will people driving on the Lloyd Expressway see the messages?

**Kevin Gerteisen:** Yes. The existing score board, if you've been to Reitz or Enlow, Central. St. Mary's has donated the signs for that, the score board portion. With the size of that a third leg was added facing north which is facing the Lloyd. There is a St. Mary's emblem across the top and then there would be a message board and a five by ten sign.

**Councilman McGinn:** The size has to be approved by the Board of Zoning? Has it come to the BZA yet?

**Kevin Gerteisen:** We have not.

**Councilman McGinn:** So what is the size that you are proposing? Is it a five by ten?

**Kevin Gerteisen:** It is kind of like a tripod like sign. You would have like a message board and a sign facing east and the same thing facing west.

**Councilman Friend:** John, do you know this question? If you are getting advertisements on message boards and so forth on billboards. Are there limitations on that? Like a thousand feet from there? Would this be in conflict?

**Janet Greenwell:** The School Corporation has filed for a variance and special use approval. They plan to put two electronic signs one on the north east face and one on the northwest face. They have asked for a variance for off- premise signs to allow up to 2,150 square foot off- premise signage that would be the entire structure. That is on our agenda for the 18<sup>th</sup> of this month, after it is approved for commercial. We don't allow any off premise signs in residential which is why they had to rezone it. One other thing, I believe the state has notified us that they will need a state permit also.

**Kevin Gerteisen:** We have been in contact with them.

**Councilman Adams:** Any remonstrators, any other comments?

**Allen Leibenguth:** I do have a question about the zoning. Not knowing what the timing is, but you are asking for the zoning change after you have undergone construction? Is that true? I'm not sure if this is the proper procedure to follow or is it foresight or hindsight? There is a notice on the Cullen Avenue fence that there is a zoning ordinance change and there is a special use meeting on the 18<sup>th</sup> of August to deal with the property. I was surprised to see the zoning ordinance come in. It appeared to be after construction and was well underway. I just had a question about that.

**Kevin Gerteisen:** The scoreboard on the facility was made larger than the rest of them. With that they added a kind of a tripod. This project is pretty fast pace when the permit was taken out on May 11<sup>th</sup>, at that point the general contractor released construction of that structure so that the structure was being built for the scoreboard and supports and the footers were poured June 1<sup>st</sup>. Then it was brought to our attention that we were required a rezoning and a special use. So application was then made on May 16<sup>th</sup> for that. With the timing of, and the hopes of maybe playing football there, things were kept on schedule and we proceeded with that and we understand the construction was going on but as soon as we realized it we did file for that rezoning and special-use permit.

**Councilman McGinn:** Mr. Gerteisen, you are new at this job, aren't you brand new at this job?

**Kevin Gerteisen:** I'm not new at construction but with the EVSC, yes. I have always been involved in the maintenance side and oversaw some of the construction. Recently, with the restructuring, Dr Smith and Rick Cameron were previously in my position, so I'm in the process of taking these projects over.

**Councilman McGinn:** The reason I asked the question, I read the Area Plan Commission minutes and someone took the school corporation to task for not having the permit to building the sign first and so the record is. And someone explained the oversight is because of the speed, but you are not the guy who should get yelled at for this because you weren't in this position when that permit probably should have been gotten. I kind of wanted to clear that up.

**Alan Leibenguth:** I will definitely answer any questions the best that I can. One more comment, I am a 1966 graduate of Harrison High School and proud of it. Delighted to see a brand new football field and sign. I do have a question; though I appreciate the donations from St Mary's but the common bystander would look at this and say its St Mary's field. I would appreciate it being more Warriors Stadium rather than St Mary's field, just a comment you see something at the bottom. Harrison High School has always been obliterated as far as very small print at the top of the building. This is our first opportunity to finally identify the school and designate it clearly as Warrior Field so I'd ask for special consideration that you might add some additional signage to that if you can letting everyone know that thanks to St Mary's but doggone it this is Warrior Field. Thank you.

**Kevin Gerteisen:** And I'll address his question, you can see at the bottom of the sign it has Harrison High School across the brick façade, you'll also see two verticals on the two outside legs. We do intend to have Harrison mentioned again on those. I think, don't quote me on this I think it's Harrison Field, but we definitely are very proud of this facility it is very first class and we every intention of doing that.

**Councilman Adams:** Any further comment?

**Councilwoman Mosby** moved and **Councilwoman Robinson** seconded the motion to adopt Zoning Ordinance R-2011-5 and call the roll.

**ROLL CALL:**

**Ayes:** M<sup>c</sup>Ginn, Mosby, Robinson, Friend, Adams, John.

**Absent:** Bredhold, Walker and Watts.

There being six (6) ayes and zero (0) nays, Zoning Ordinance R-2011-5 is hereby declared adopted.

**CONSENT AGENDA**

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

Request from petitioner to withdraw Resolution C-2011-20.

**Councilman John** moved and **Councilman Friend** seconded the motion to accept the withdrawal of Resolution C-2011-20. Voice vote. So ordered.

**COMMITTEE REPORTS:**

**FINANCE COMMITTEE**

**CHAIRMAN FRIEND**

**Councilman Friend:** Mr. President, your Finance Committee met this evening to hear Resolution C-2011-20 and it has been withdrawn.

**REGULAR AGENDA**

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

Nothing under Third Reading.

### **MISCELLANEOUS BUSINESS**

There will not be a City Council Meeting on Monday, August 15, 2011. The next City Council meeting will be Monday, August 22, 2011 at 5:30 p.m. Committee Meetings will begin at 5:20 p.m. Is there anyone in the audience that would like to make any comments about anything that's bothering them or have any issues about things?

**Councilman McGinn:** If I may on miscellaneous, thank you Mr. President. Again I want to keep alive what we talked about a couple of weeks ago. That is the possibility of a city ordinance which prohibits the sale of the tablet form of psuedophedrin and the other ingredients and cold meds that can be used to make methamphetamines. I have done more research and I sent the website to several people I know President Watts is not here today, he was going to check with his brother in law who is a PHD pharmacologist but again, to reiterate, it appears that gel cap and liquid forms of cold medications that contain that ingredient are as effective as the tablet form yet they cannot be used to manufacture meth. Five cities in Oklahoma have passed city ordinances that have outlawed it without a prescription and according to their research on the internet their meth usage and meth labs has gone down considerably. A couple of other things here, I know that the cities in Oklahoma they have fines and imprisonment and I know with speaking with Mr. Hamilton who has done some preliminary research, we can't imprison anyone with a city ordinance, but I've asked him again to check if we can fine people for violations of building codes, zoning codes and that type of thing. Another line of thought on this is my understanding that the City of Evansville requires any retailer to have a retail permit and whether that's from building commissioner or whatever office that comes from. That could be amended possibly if Mr. Hamilton could do the research to make a requirement for a retail permit that you will not, cannot sell meth making ingredients in the tablet form as a condition of a retail permit. I have spoken with Chief Brad Hill, he has spoke with his narcotic people and they would love it if we could do this. I will take it upon myself to see if I can get some information about what it costs the City of Evansville for meth lab clean up and the cost to clean the hazmat outfits that the police and fire department have to have cleaned every time they do a meth lab. And, this is without regard to the loss of life and death and loss of homes and the family being burned out by the meth lab explosion. But, I want to ask him about that cost because if we do take this position on this someone will probably appeal it and there will be some legal fees involved. We need to find out if we have the ability to do it. Just off of the top of my head I would think that the cost of cleanup and Hazmat is far more expensive than legal fees would take to take a single issue up on the court of appeals. I'll try to get some of that information from them. Again, I'll contact President Watts to see if he has spoken with his brother-in-law. I'll try to get this cost material from the people and if Mr. Hamilton, if you would look at the retail license, that aspect of it and whether or not we can do it. If we pass this, I will go to Warrick County and try to get the Commissioners to do it. We can go to different counties and if every town gets fed up with waiting for the state to pass something on this and they all pass this type of ordinance I think it might have a major, major effect of the State Legislature if that ultimately decided what is required to do this. I don't want this to die.

**Councilwoman Mosby:** Also Chief Jarboe did speak about this at the last UNO meeting and the neighborhood associations are fully supportive of this as well. So, whatever we can do to move this forward.

**Councilman Adams:** About two or three years ago, I had an occasion to find out about that. I think it takes about \$12,000 to \$15,000 dollars to clean up a three bedroom apartment or a two

bedroom apartment after someone has cooked it. Obviously the landlord does that, it doesn't come out of the drug money, which I thought might be appropriate. I talked to two pharmacists both of them thought it was a great idea. I talked to two city policemen who also thought it was a great idea. The push back I think is going to be somewhere in the big sellers because they sell thousands of tablets a month. Big box stores. I don't care, I think that this is something that really could be affective and really would stimulate the state legislature to get the ball rolling on something like this. Thank you so much.

**Councilman Friend:** I've sent some more questions out to Mr. Kish about the arena. I also sent the emails to you folks. I encourage you to maybe add to those questions, so to speak and I've asked him to come to the next meeting on the 22<sup>nd</sup>.

**Michelle Mercer:** I'm Michelle Mercer republican candidate for City Council at Large and I just wanted to offer my opinion as a citizen in response to Councilman McGinn's proposal. I think that that is a wonderful idea. I'm a registered nurse in the community and I'm concerned about public safety and public health and I think that is a wonderful proposal and I would encourage you all to pursue that. As a nurse my understanding of the medication pseudoephedrine is that there is no reason that patients couldn't take the liquid form or the gel cap, in fact liquid form in gel caps are usually considered a little more quickly absorbed. I think that the cost that we would save to the city and cleaning up meth labs and the cost that we would save to public health and safety would tremendous and I think that this is a wonderful idea and would encourage you to pursue that. Thank you.

**Stan Wheeler:** Are you going to give all of the candidates for City Council equal time now? I don't think that was a very good thing to do. I don't know the young lady, but if she came up here as a private citizen, I don't think you need to have campaign speeches here at this podium during City Council Meetings.

**Councilman Adams:** I apologize to you. I thought she was speaking from her expertise as a nurse.

**Stan Wheeler:** She spoke as a republican candidate.

**Councilman Adams:** Yes sir, your right. I'm not quick enough on my feet tonight to do that and I apologize. His point is well taken. I mistakenly thought you were speaking as a nurse because it is a medical..... you're absolutely correct.

**Stan Wheeler:** Now you owe every candidate for office .....

**Councilman Adams:** .....to come speak on that subject.

**Councilman McGinn:** We would welcome them all to speak on that subject.

**Councilman Adams:** So, they would come speak on that subject?

**Stan Wheeler:** It is no place for political speeches at that podium.

**Councilman Adams:** I will make a formal statement prior to closing of this session that all candidates for the city elections are welcome to come speak on this particular subject. The use of meth labs.

**Councilwoman Mosby:** As long as they come as a private citizen and they are not campaigning.

**Councilman Adams:** That's correct.

**COMMITTEE REPORTS:**

**ASD COMMITTEE:**

Nothing scheduled at this time.

**CHAIRWOMAN ROBINSON**

**PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2011-13

Date: August 22, 2011

Time: 5:20 p.m.

Notify: Herbert G. Hatt

**CHAIRWOMAN MOSBY**

A petition to vacate 12 feet of  
an alley located at 121 W. Indiana St.

**FINANCE COMMITTEE:**

City Budget Hearings:

August 22, 23, 24, 2011

Room 301

Time: 3:30 p.m.

**CHAIRMAN FRIEND**

**Re: CDBG/ESG/HOME**

Date: September 7, 2011

Time: 4:00 – 6:00 p.m.

Notify: DMD

Public Hearing for Agencies  
Room 301 (Wednesday)

**Re: CDBG/ESG/HOME**

Date: September 26, 2011

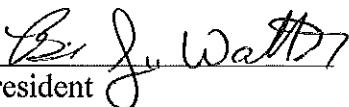
Time: 5:20 p.m.

Notify: DMD

Committee Meeting and 2<sup>nd</sup> and 3<sup>rd</sup> Reading

**ADJOURNMENT**

**Councilwoman Robinson** moved and **Councilman John** seconded the motion to adjourn. Voice vote. So ordered. Meeting adjourned at 6:30 pm.

  
President

  
Alberta Matlock, City Clerk





**ORDINANCE R-2011-11                      TO APC                      C-4 TO M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2020 S. Kentucky Ave., Evansville, Indiana

Petitioner:                      David Condi  
Owners:                          Same  
Representative:  
District:                          Connie Robinson, Ward 4

**CONSENT AGENDA**

**SECOND READING OF ZONING ORDINANCE**

**ORDINANCE R-2011-3                      FROM APC                      R-1 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3624 Pollack Avenue, Evansville, IN 47714

Petitioner:                      Paul K. Neville II  
Owners:                          Melba Elvira Neville  
Representative:                Paul K. Neville II  
District:                          Missy Mosby, Ward 2

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 9 affirmative votes.

**ORDINANCE R-2011-4                      FROM APC                      C-4 w/U&D Comm. TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3020 E. Morgan Avenue

Petitioner:                      3020 E. Morgan Ave., LLC c/o Rick Bartlett  
Owners:                          Same  
Representative:                Leslie C. Shively  
District:                          John Friend, Ward 5

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 9 affirmative votes.

**ORDINANCE R-2011-5                      FROM APC                      R-1 TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 211 Fielding Road

Petitioner:                      Evansville Vanderburgh School Corporation  
Owners:                          Same  
Representative:                Rick Cameron/Roger Lehman  
District:                          Dan McGinn, Ward 1

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 8 affirmative votes and 1 abstention.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCE**

**ORDINANCE R-2011-3                      FROM APC                      R-1 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3624 Pollack Avenue, Evansville, IN 47714

Petitioner:                      Paul K. Neville II

**ORDINANCE R-2011-4                      FROM APC                      C-4 w/U&D Comm. TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3020 E. Morgan Avenue

Petitioner:                      3020 E. Morgan Ave., LLC c/o Rick Bartlett

**ORDINANCE R-2011-5                      FROM APC                      R-1 TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 211 Fielding Road

Petitioner:                      Evansville Vanderburgh School Corporation

**REGULAR AGENDA**

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

Request to withdraw Resolution C-2011-20

**REGULAR AGENDA**

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

Nothing on Third Reading

**MISCELLANEOUS BUSINESS**

There will not be a City Council Meeting on Monday, August 15, 2011. The next City Council meeting will be Monday, August 22, 2011 at 5:30 p.m. Committee Meetings will begin at 5:20 p.m.

**ADJOURNMENT**

The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

**ROLL CALL**

☒ M<sup>c</sup>GINN

☒ ROBINSON

☒ JOHN

☒ MOSBY

☒ FRIEND

A WALKER

A BREHOLD

☒ ADAMS

A WATTS

There being 6 members present, 3 members absent, and 6 members representing a quorum, I hereby declare this session of Common Council officially opened.

**PLEDGE OF ALLEGIANCE**

This evening the pledge of allegiance will be led by Dehuta.

Fellow Councilmen and those in the audience, welcome to the August 8, 2011 meeting of the Common Council.

**RECOGNITION OF SCHOOLS**

Are there any students in the audience who would like to be recognized?

SCHOOL: \_\_\_\_\_  
NAME: \_\_\_\_\_

SCHOOL: \_\_\_\_\_  
NAME: \_\_\_\_\_

**COUNCIL ATTORNEY**

This evening John Hamilton is City Council Attorney.

**SERGEANT AT ARMS**

This evening Officer NONE is our Sergeant at Arms.

**READING AND AMENDMENT OF MINUTES OF PRECEDING MEETING**

Is there a motion to approve the minutes of the July 25, 2011 meeting of the Common Council as written?

Councilman Robinson moved and Councilman Sohn seconded the motion that the minutes of the regular meeting of the Common Council held July 25, 2011 be approved as written. Voice vote. ☒ So ordered. ☒

**REPORTS AND COMMUNICATIONS**  
**IN YOUR AUGUST 5<sup>TH</sup> PACKET:**

- \*City Council Agenda for August 8, 2011 meeting.
- \*Committee Meeting Schedule.
- \*City Council Meeting Minutes from the July 25, 2011.
- \*Rezoning Ordinances R-2011-7, R-2011-8 , R-2011-9, R-2011-10 and R-2011-11.
- \*Area Plan Commission minutes and staff reports from July 14, 2011 meeting.
- \*News Releases:
  - City Pool Hours of Operation
  - Building Commission, Code Enforcement to Consolidate
  - Evansville Water and Sewer Utility to temporarily Change Disinfectants
  - METS Free Ride Program Concluding

**ON YOUR DESK THIS EVENING:**

Councilman Friend moved and Councilman Robinson  
seconded the motion to receive, file and make these reports and communications a part of  
the minutes of the meeting. Voice vote. ✓ So ordered. ✓

**CONSENT AGENDA**

**FIRST READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE R-2011-7                      TO APC                      C-02 TO C-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2916 E. Morgan Avenue.

Petitioner:                Scott Elpers  
Owners:                    John E. Friend  
Representative:  
District:                   John Friend, Ward 5

**ORDINANCE R-2011-8                      TO APC                      R-2 TO C-4 and M-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1227 E. Michigan Street, Evansville, Indiana

Petitioner:                Patrick A. Rayburn  
Owners:                    Same  
Representative:        Krista B. Lockyear  
District:                   Wendy Bredhold, Ward 3

**ORDINANCE R-2011-9                      TO APC                      R-2 TO C-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 17 Washington Ave., Evansville, Indiana

Petitioner:                Evansville Brownfields Corp.  
Owners:                    Same  
Representative:        Carolyn Rush, Secretary/Treasurer  
District:                   Connie Robinson, Ward 4

**ORDINANCE R-2011-10                      TO APC                      C-4 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3404 W. Virginia Street, Evansville, Indiana

Petitioner:                Brian and Julie Lamble  
Owners:                    Same  
Representative:  
District:                   B.J. Watts, Ward 6

**ORDINANCE R-2011-11                      TO APC                      C-4 TO M-1**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2020 S. Kentucky Ave., Evansville, Indiana

Petitioner:                David Condi  
Owners:                    Same  
Representative:  
District:                   Connie Robinson, Ward 4

Is there a motion to adopt the Consent Agenda as written?

Councilman John moved and Councilman Friend seconded the

Motion to adopt the Consent Agenda as written. Voice vote. So ordered.

**CONSENT AGENDA**

**SECOND READING OF ZONING ORDINANCE**

**ORDINANCE R-2011-3**

**FROM APC**

**R-1 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3624 Pollack Avenue, Evansville, IN 47714

Petitioner: Paul K. Neville II  
Owners: Melba Elvira Neville  
Representative: Paul K. Neville II  
District: Missy Mosby, Ward 2

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 9 affirmative votes.

**ORDINANCE R-2011-4**

**FROM APC**

**C-4 w/U&D Comm. TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3020 E. Morgan Avenue

Petitioner: 3020 E. Morgan Ave., LLC c/o Rick Bartlett  
Owners: Same  
Representative: Leslie C. Shively  
District: John Friend, Ward 5

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 9 affirmative votes.

**ORDINANCE R-2011-5**

**FROM APC**

**R-1 TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 211 Fielding Road

Petitioner: Evansville Vanderburgh School Corporation  
Owners: Same  
Representative: Rick Cameron/Roger Lehman  
District: Dan McGinn, Ward 1

This petition comes forward with a recommendation for approval by the Area Plan Commission, having 8 affirmative votes and 1 abstention.

Is there a motion to adopt the Consent Agenda Second Reading of Zoning ordinances and to accept the Area Plan Commission Report?

Councilman Friend moved and Councilman Mosby seconded the motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report. Voice vote. So ordered. Council now stands at Third Reading which is final action.

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCE**

**ORDINANCE R-2011-3**

**FROM APC**

**R-1 TO R-2**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3624 Pollack Avenue, Evansville, IN 47714

Petitioner: Paul K. Neville II

Paul Neville	McGinn	McGinn	Adams
Mosby	Hamilton	Robinson	Crysta Matlock
Neville	McGinn	John	Hamilton
Mosby	Friend	Neville	Tenet
Adams	Hamilton	Robinson	Adams
Neville	Friend	Neville	Neville
Adams	McGinn	Robinson	Friend
McGinn	Hamilton	Neville	Neville
Hamilton	Robinson	John	Adams
McGinn	Neville	Neville	John moves to
Mosby	McGinn	Adams	Continue Mosby
Hamilton	Mosby	Larry Thompson	Seconds
		Mosby	Neville

Is there a motion to adopt Ordinance R-2011-3 and call the roll?

Councilman \_\_\_\_\_ moved and Councilman \_\_\_\_\_ seconded the

motion to adopt Ordinance R-2011-3 and call the roll.

**ROLL CALL**

☒ McGINN

☒ ROBINSON

☒ JOHN

☒ MOSBY

☒ FRIEND

☐ WALKER

☐ BREHOLD

☒ ADAMS  
3 police

☐ WATTS

There being 6 Ayes and 0 Nays, Ordinance R-2011-3 is hereby declared  
~~ADOPTED~~/DENIED.

Adams  
Neville  
Adams  
Neville  
Mosby



REGULAR AGENDA

THIRD READING OF ZONING ORDINANCE

ORDINANCE R-2011-4 FROM APC C-4 w/U&D Comm. TO C-4

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,  
more commonly known as 3020 E. Morgan Avenue

Petitioner: 3020 E. Morgan Ave., LLC c/o Rick Bartlett

Les Shively

McGinn

Shively

McGinn

Shively

Adams

Shively

Friend

McGinn

Shively

Is there a motion to adopt Ordinance R-2011-4 and call the roll?

Councilman John moved and Councilman Friend seconded the  
motion to adopt Ordinance R-2011-4 and call the roll.

ROLL CALL

✓ MCGINN

✓ ROBINSON

✓ JOHN

✓ MOSBY

✓ FRIEND

A WALKER

A BREHOLD

✓ ADAMS

A WATTS

There being 6 Ayes and 0 Nays, Ordinance R-2011-4 is hereby declared  
ADOPTED/~~DENIED~~.

Gerteisen

**REGULAR AGENDA**

**THIRD READING OF ZONING ORDINANCE**

**ORDINANCE R-2011-5**

**FROM APC**

**R-1 TO C-4**

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,  
more commonly known as 211 Fielding Road

Petitioner: Evansville Vanderburgh School Corporation

Kevin Gertesen	McGINN	Leibenguth
Adams	Gerteson	Adams
Gerteson	Friend	Leibenguth
Adams	Janet	Adams
Gerteson	Adams	
Adams	Alan Leibenguth	
Gerteson	Hamilton	
McGINN	Alan Leibenguth	
Gerteson	Gerteisen	
McGINN	McGINN	
Gerteson	Gerteisen	
	McGINN	

Is there a motion to adopt Ordinance R-2011-5 and call the roll?

Councilman Mosby moved and Councilman Robinson seconded the  
motion to adopt Ordinance R-2011-5 and call the roll.

**ROLL CALL**

✓ McGINN

✓ ROBINSON

✓ JOHN

✓ MOSBY

✓ FRIEND

A WALKER

A BREHOLD

✓ ADAMS

A WATTS

There being 6 Ayes and 0 Nays, Ordinance R-2011-5 is hereby declared  
~~ADOPTED~~ DENIED.

**CONSENT AGENDA**

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

Request to withdraw Resolution C-2011-20

Councilman John moved and Councilman Friend seconded the motion to accept the withdrawal of Resolution C-2011-20. Voice vote. So ordered.

**COMMITTEE REPORTS:**

**FINANCE COMMITTEE**

**CHAIRMAN FRIEND**

**Councilman Friend:** Mr. President, your Finance Committee met this evening to hear Resolution C-2011-20 and it has been withdrawn.

Councilman \_\_\_\_\_ moved and Councilman \_\_\_\_\_ seconded the motion to adopt the Committee Report. Voice vote. \_\_\_\_ So ordered. \_\_\_\_

**MISCELLANEOUS BUSINESS**

There will not be a City Council Meeting on Monday, August 15, 2011. The next City Council meeting will be Monday, August 22, 2011 at 5:30 p.m. Committee Meetings will begin at 5:20 p.m.

McGinn  
Mosby  
Adams  
McGinn  
Friend  
Michelle Mercer  
Stan Wheeler  
Adams  
Mosby

**COMMITTEE REPORTS:**

**ASD COMMITTEE:**

Nothing scheduled at this time.

**CHAIRWOMAN ROBINSON**

**PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2011-13

Date: August 22, 2011

Time: 5:20 p.m.

Notify: Herbert G. Hatt

**CHAIRWOMAN MOSBY**

A petition to vacate 12 feet of  
an alley located at 121 W. Indiana St.

**FINANCE COMMITTEE:**

City Budget Hearings:

August 22, 23, 24, 2011

Room 301

Time: 3:30 p.m.

**CHAIRMAN FRIEND**

**ADJOURNMENT**

Councilman Robinson moved and Councilman John

seconded the motion to adjourn. Voice Vote. \_\_\_\_\_ So Ordered. \_\_\_\_\_

Meeting adjourned at 6:30 p.m.

# **CITY COUNCIL COMMITTEE MEETING SCHEDULE**

## **August 8, 2011**

### **FINANCE COMMITTEE:**

Re: Resolution C-2011-20  
Date: August 8, 2011  
Time: 5:20 p.m.  
Notify: Donna Crooks (GAGE)

### **CHAIRMAN FRIEND**

Amending Resolution C-2009-4  
Tax Phase-In for American General  
Finance

## **August 22, 2011**

### **PUBLIC WORKS COMMITTEE:**

Re: Ordinance G-2011-13  
Date: August 22, 2011  
Time: 5:20 p.m.  
Notify: Herbert G. Hatt

### **CHAIRWOMAN MOSBY**

A petition to vacate 12 feet of  
an alley located at 121 W. Indiana St.

## **August 22, 23, 24, 2011**

City Budget Hearings

Date: August 22<sup>nd</sup>, 23<sup>rd</sup>, and 24<sup>th</sup>, 2011

Time: 3:30 p.m.

Place: Room 301 Civic Center

## **September 7, 2011**

### **FINANCE COMMITTEE:**

Re: CDBG/ESG/HOME  
Date: September 7, 2011  
Time: 4:00 – 6:00 p.m.  
Notify: DMD

### **CHAIRMAN FRIEND**

Public Hearing for Agencies  
Room 301 (Wednesday)

## **September 26, 2011**

Re: CDBG/ESG/HOME

Date: September 26, 2011

Time: 5:20 p.m.

Notify: DMD

Committee Meeting and 2<sup>nd</sup> and 3<sup>rd</sup> Reading

# STATISTICAL LEGAL AID OF EVANSVILLE, INC., JUNE 2011

	MONTH	YEAR
I. APPLICATIONS TAKEN.....	161	858
A. Applications rejected.....	122	646
1. over income / assets.....	45	226
2. case type.....	28	97
3. incomplete application.....	27	165
4. conflict of interest.....	12	99
5. out of county matter.....	2	22
6. no legal issue.....	8	36
7. residency requirements not met.....	0	1
B. Applications accepted.....	39	212
C. Applicants who did not follow through.....	25	
1. did not make appointment.....	14	
2. did not keep appointment.....	11	
D. Applicants from month seen.....	14	77
E. Applicants from prior month seen.....	26	151
II. NEW CASES ACCEPTED.....	40	228
A. Nature of cases accepted		
1. family.....	26	150
a.) divorce.....	4	34
b.) support.....	3	17
c.) custody.....	15	57
d.) visitation.....	3	28
e.) paternity.....	0	1
f.) juvenile.....	0	0
g.) adoptions.....	1	6
h.) guardianships.....	0	7
2. housing.....	11	56
3. health.....	1	1
4. consumer/finance.....	0	2
5. income maintenance.....	1	12
6. miscellaneous.....	1	7
B. Employment		
1. employed.....	12	76
2. unemployed.....	28	152
C. Gender		
1. male.....	11	61
2. female.....	29	167
D. Race		
1. Caucasian.....	28	170
2. African American.....	11	56
3. Hispanic.....	1	2
4. Other.....	0	0
E. Age		
1. 0 - 17.....	0	2
2. 18 - 25.....	2	39
3. 26 - 35.....	16	84
4. 36 - 55.....	19	76
5. 56 +.....	3	27
F. Zip code		
1. 47708.....	1	5
2. 47710.....	7	57
3. 47711.....	5	25
4. 47712.....	5	21
5. 47713.....	5	31
6. 47714.....	13	60
7. 47715.....	2	21
8. 47720.....	1	7
9. 47725.....	1	1
10. Other.....	0	0

**FILED**

**JUL 27 2011**

*Alberta Matlock*  
**CITY CLERK**

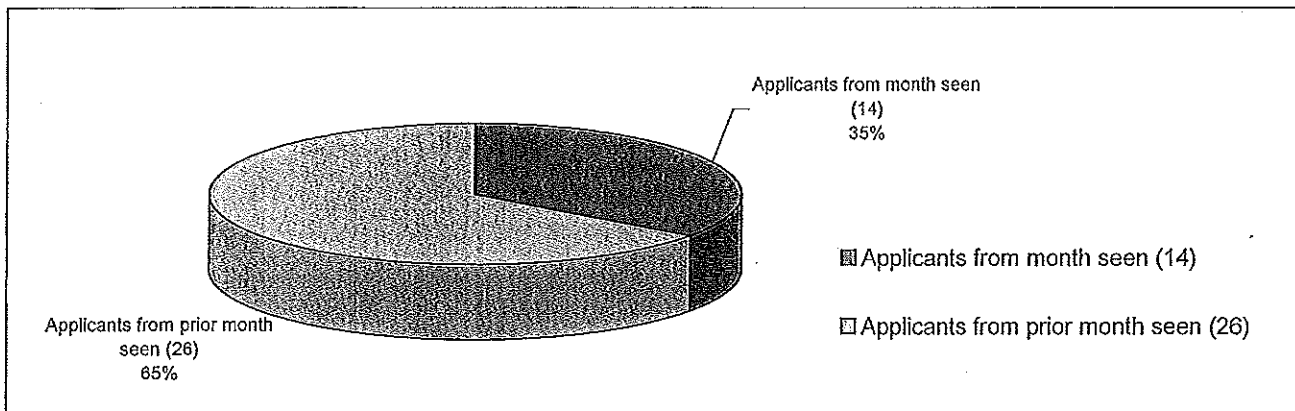
	MONTH	YEAR
G. Education		
1. no GED or no high school graduation.....	12	60
2. GED or high school graduation.....	9	59
3. training past GED/ high school.....	19	109
H. Number Impacted		
1. Children.....	59	281
2. Adults.....	52	266
III. CASES CLOSED.....	39	233
A. Case disposition		
1. counsel and advise.....	15	107
2. settle without litigation.....	0	3
3. settle with litigation.....	12	51
4. agency decision.....	1	2
5. court decision.....	9	62
6. other.....	2	8
B. Length of time file was open		
1. less than 30 days.....	16	89
2. 30 - 90 days.....	6	43
3. 91 - 180 days.....	9	67
4. 181 - 364 days.....	6	24
5. 1 to 2 years.....	1	5
6. more than 2 years.....	1	5
C. Nature of cases closed		
1. family.....	27	157
a.) divorce.....	2	43
b.) support.....	4	11
c.) custody.....	13	71
d.) visitation.....	7	21
e.) paternity.....	0	1
f.) juvenile.....	0	0
g.) adoptions.....	0	1
h.) guardianships.....	1	9
2. housing.....	9	57
3. health.....	1	1
4. consumer/finance.....	0	2
5. income maintenance.....	2	11
6. miscellaneous.....	0	5
IV. CASES PENDING ON JULY 1, 2011.....	272	
A. Cases previously pending.....	271	
B. New cases accepted.....	40	
C. Cases closed.....	39	
D. Nature of cases pending	0	
1. family.....	255	
a.) divorce.....	23	
b.) support.....	22	
c.) custody.....	42	
d.) visitation.....	19	
e.) paternity.....	0	
f.) juvenile.....	0	
g.) adoptions.....	10	
h.) guardianships.....	139	
2. housing.....	11	
3. health.....	0	
4. consumer/finance.....	0	
5. income maintenance.....	4	
6. miscellaneous.....	2	
V. APPLICANTS REFERRED TO VLP.....	7	76



## NEW CLIENTS SEEN

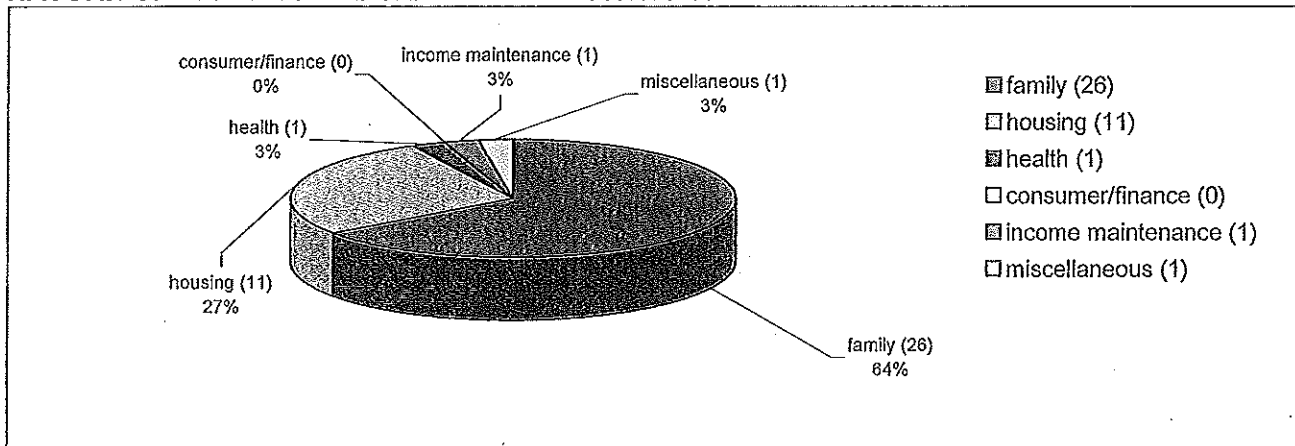
CASES: 40

JUNE 2011



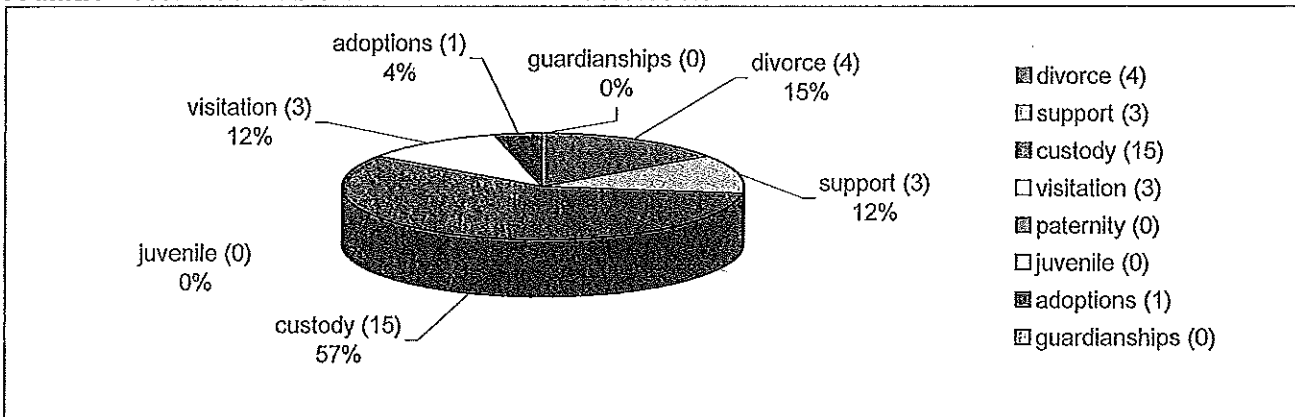
## NATURE OF CASES ACCEPTED

CASES: 40



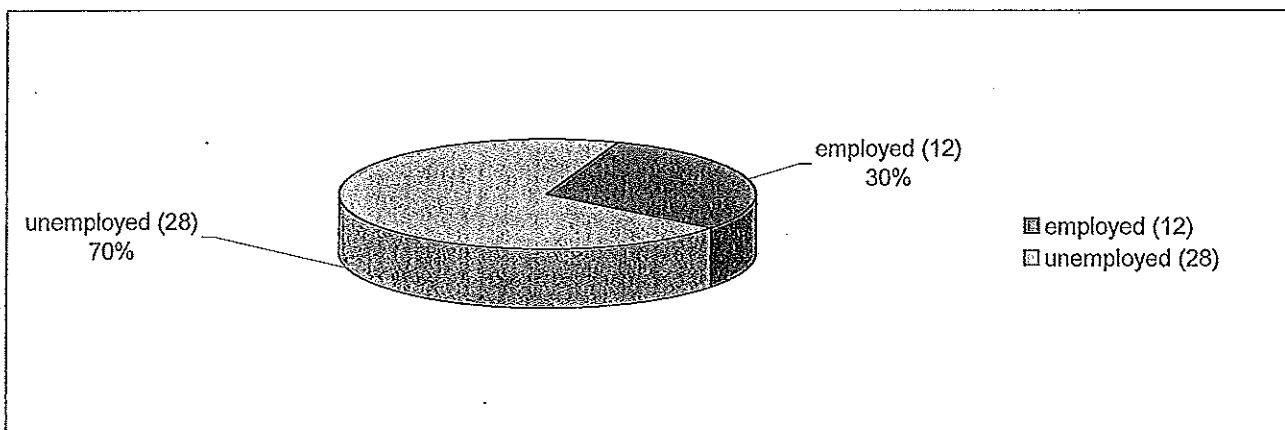
## FAMILY CASES ACCEPTED

CASES: 26



## CLIENT EMPLOYMENT STATUS

CASES: 40



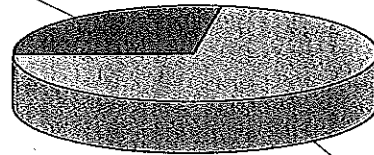
# CLIENT GENDER

CASES:

40

JUNE 2011

male (11)  
28%



female (29)  
72%

■ male (11)

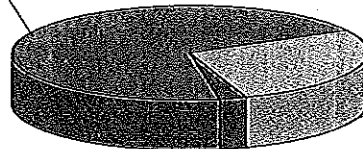
□ female (29)

# CLIENT RACE

CASES:

40

Caucasian (28)  
69%



African American (11)  
28%

Other (0)  
0%

Hispanic (1)  
3%

■ Caucasian (28)

■ African American (11)

■ Hispanic (1)

□ Other (0)

# CLIENT AGE

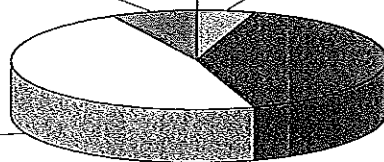
CASES:

40

56 + (3)  
8%

0 - 17 (0)  
0%

18 - 25 (2)  
5%



26 - 35 (16)  
40%

36 - 55 (19)  
47%

■ 0 - 17 (0)

■ 18 - 25 (2)

■ 26 - 35 (16)

□ 36 - 55 (19)

■ 56 + (3)

# ZIP CODES

CASES:

40

47714 (13)  
5%

47715 (2)  
3%

47720 (1)  
3%

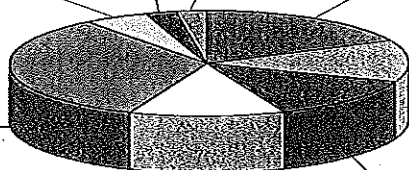
47708 (1)  
18%

47710 (7)  
13%

47713 (5)  
32%

47712 (5)  
13%

47711 (5)  
13%



■ 47708 (1)

■ 47710 (7)

■ 47711 (5)

□ 47712 (5)

■ 47713 (5)

□ 47714 (13)

■ 47715 (2)

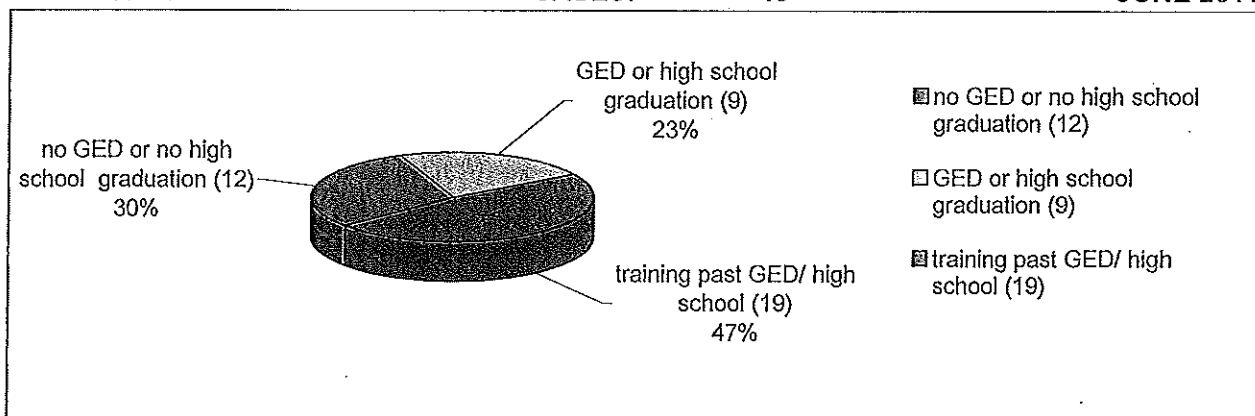
■ 47720 (1)

# EDUCATION

CASES:

40

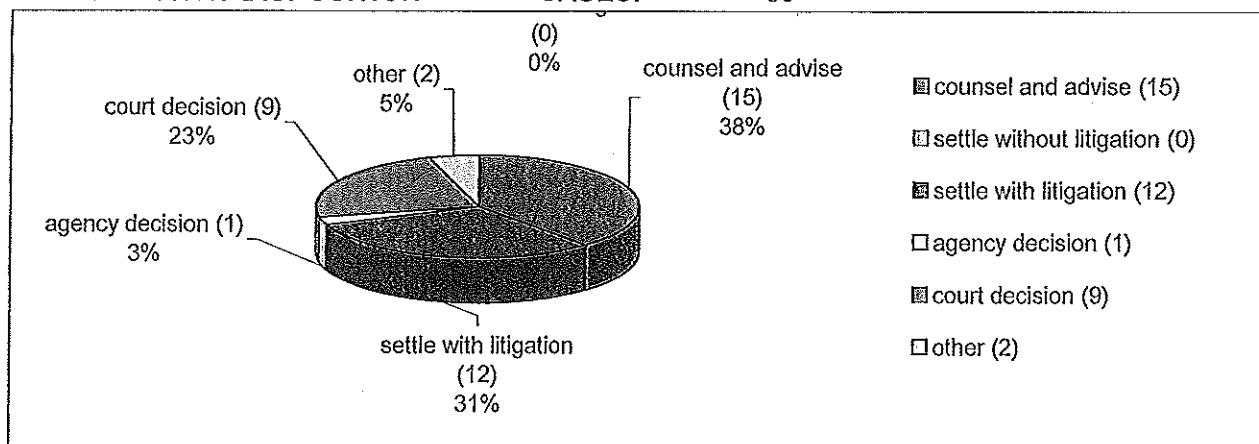
JUNE 2011



# CLOSED CASES DISPOSITION

CASES:

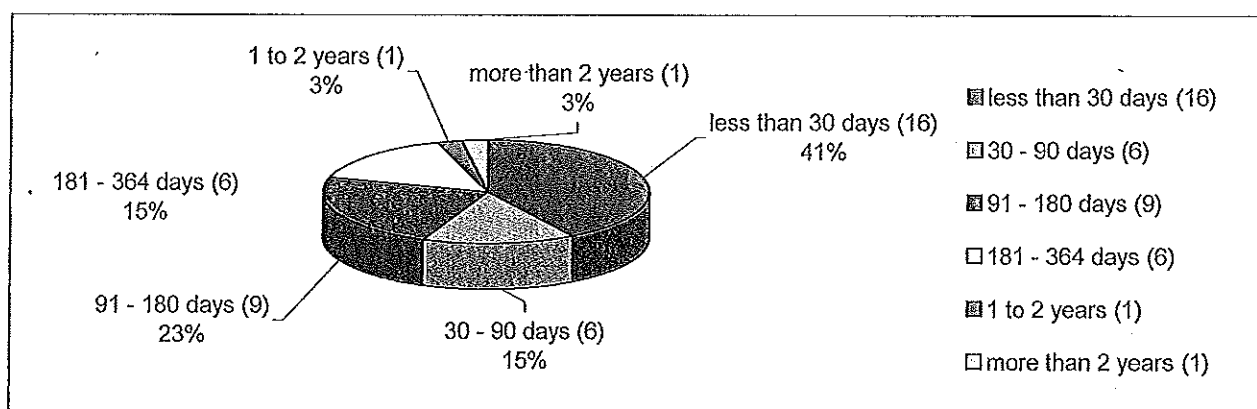
39



# LENGTH OF TIME FILE WAS OPEN

CASES:

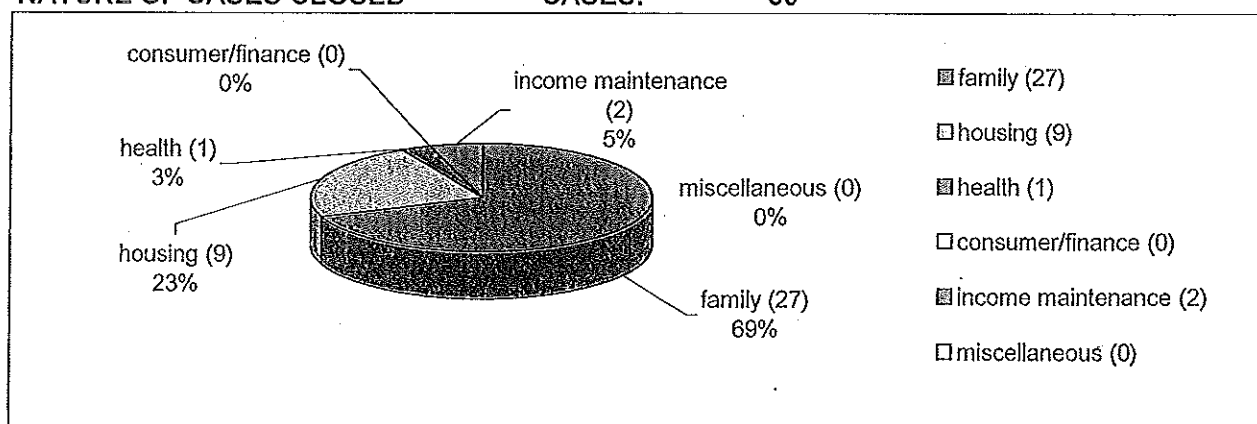
39



# NATURE OF CASES CLOSED

CASES:

39

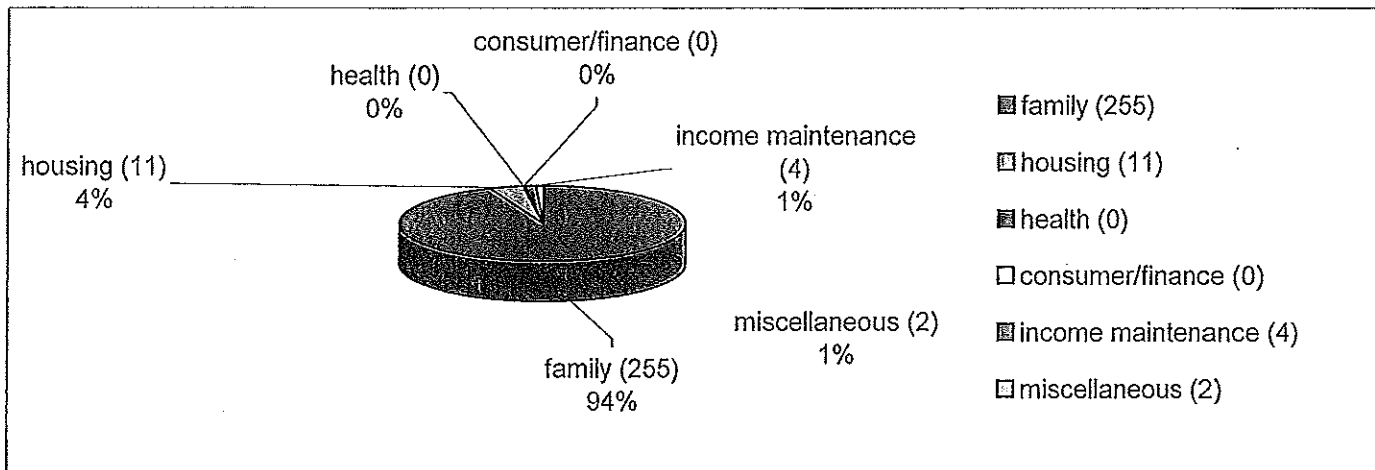


# NATURE OF CASES PENDING

CASES:

272

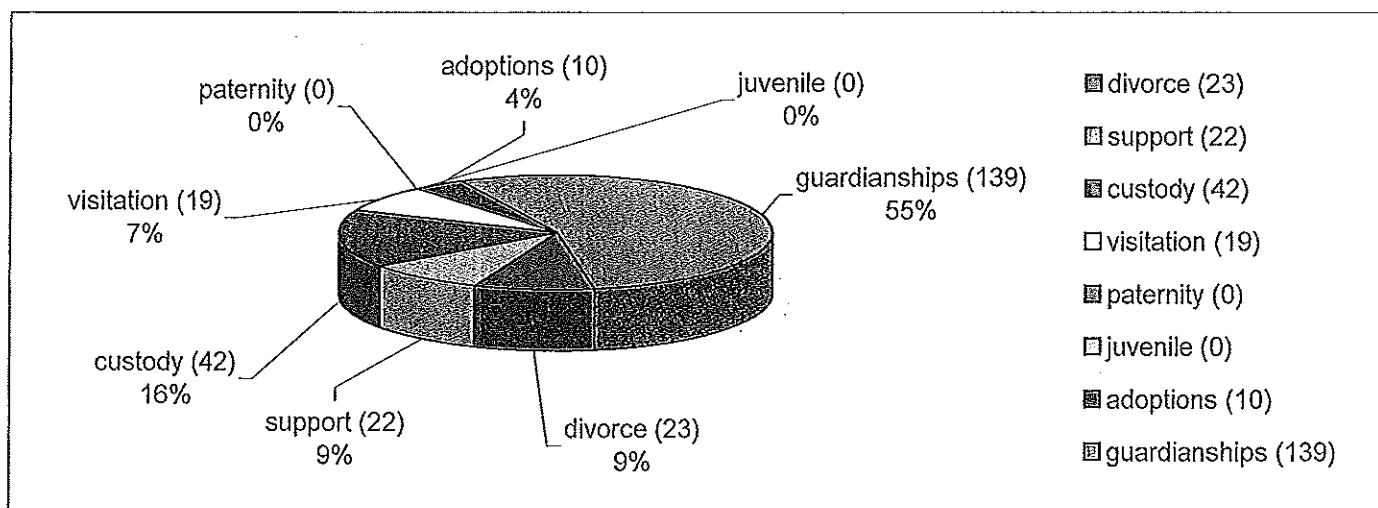
JUNE 2011



# FAMILY CASES PENDING

CASES:

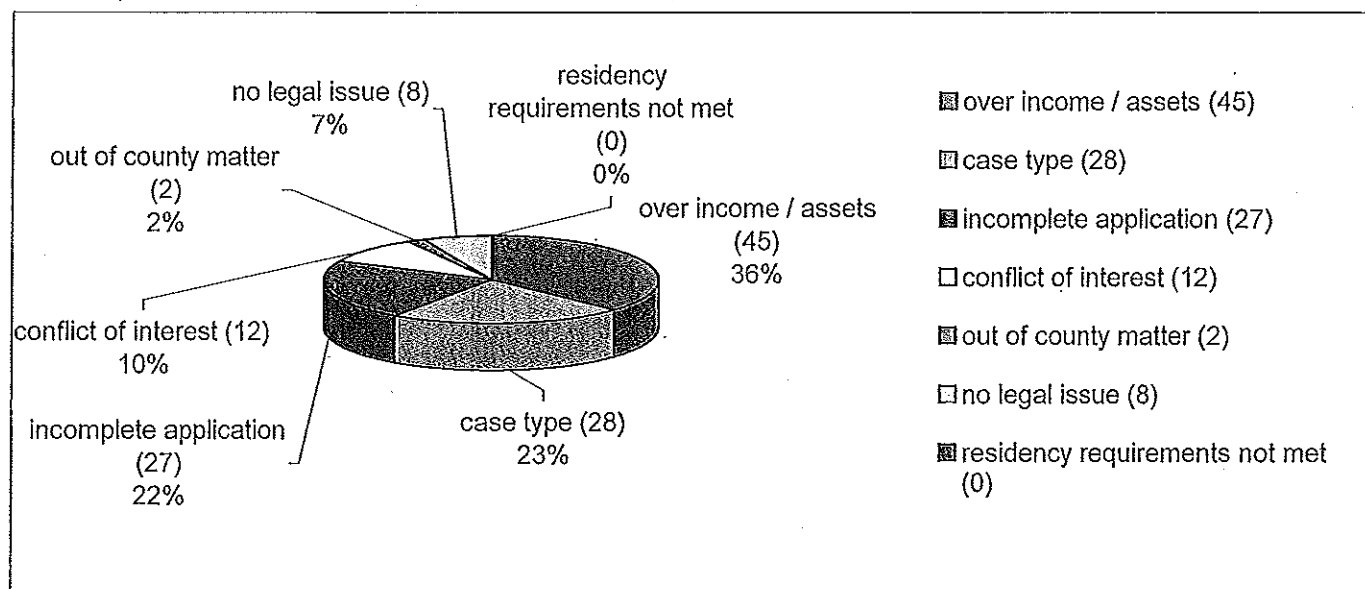
255



# APPLICATIONS REJECTED

CASES:

122



LEGAL AID SOCIETY OF EVANSVILLE, INC.

Non-City/County/United Way Funds Report of June 30, 2011

<u>A. FUND BALANCES</u>	<u>06/30/2010</u>	<u>06/30/2011</u>
1. Adoption/Guardianship Fund (AD/GD)	\$11,022.80	\$ 10,369.60
2. Publication/Litigation Fund (PUB/LIT)	5,748.63	5,482.09
3. PUB/LIT Receivables	110.00	400.00
4. IN Civil Legal Aid Fund (ICLAF)	92,321.68	116,317.39
5. U.W. Donor Designations (UWDD)	28,109.63	29,716.97
6. Miscellaneous Income & Interest (M&I)	10,165.70	6,371.62
7. Client trust account	10.09	218.09
8. Petty Cash	<u>166.92</u>	<u>126.54</u>
<b>TOTAL</b>	<b>\$147,655.45</b>	<b><u>\$ 169,002.30</u></b>

B. FUND LOCATION

1. MONEY MARKET ACCOUNT (ICLAF/UWDD/PUB/LIT) German American # 1611550 (1.25% interest per month) Signers: Sue Hartig, Kevin Gibson, Garvin Senn	<b>\$ 134,943.50</b>
2. SAVINGS ACCOUNTS A. Old National Bank #1001739744 (.0044 int) (UWDD, M&I) Signers: Sue Hartig, Kevin Gibson, Garvin Senn B. Old National Bank #1001739843 (LAW DAY PROCEEDS) Signers: Sue Hartig, Kevin Gibson, Garvin Senn	<b>\$10,144.69</b> 7,774.15  2,370.54
3. CHECKING ACCOUNTS A. Old National Bank #401082482 (PUB/LIT) Signers: Sue Hartig, Kevin Gibson, Garvin Senn B. Old National Bank #116889407 (ICLAF, UWDD, AD/GD) Signers: Sue Hartig, Kevin Gibson, Garvin Senn, C. German American Bank #3401049 (Client Trust Fund) Signer: Sue Hartig, Kevin Gibson, Garvin Senn	<b>\$23,387.57</b>  1,482.09 21,687.39 218.09
4. PUB/LIT RECEIVABLES	<b>400.00</b>
5. PETTY CASH	<b>126.54</b>
<b>TOTAL</b>	<b><u>\$169,002.30</u></b>

### C. FUND DESCRIPTION:

#### 1. AD/GD

Created in 2009 when Child Protective Services would no longer do guardian ad litem reports at no cost to us in guardianships and home studies in adoptions and we had to begin to pay for them. Funds can also be used for costs of fingerprinting and obtaining criminal history checks for petitioners in guardianships and adoptions. No repayment by the client is contemplated. Fund sources were an Evansville Bar Association grant, Law Day Auction proceeds, Craig Family foundation, Old National Bank, and Vectren.

Beginning balance	\$10,422.80
Less transfer 2010 Law Day to separate account	- 640.00
Less client expenditures	- 53.20
Current Balance (ONB CHECKING)	\$ 9,729.60
+	
Restricted Law Day Funds (LAW DAY SAV)	\$ 640.00
Balance	\$ 10,369.60

#### 2. & 3. PUB/LIT and PUB/LIT RECEIVABLES

Created in 1987 with a \$4,000 donor designated grant from the Junior League of Evansville plus a United Way allocation of \$1,000 in 1994. This account is used to pay publication costs, costs of DNA testing, and other litigation expenses. Client is asked to pay funds back if possible.

Start up funds	\$ 5,000.00
+ Cumulative Interest earned	2,112.55
- Cumulative loans made	16,350.15
+ Cumulative loans repaid	12,212.63
Receivables	400.00
Loans made = 140	
Cumulative write offs	3,737.52
Balance (ONB CHECKING + 4K in GA MM)	\$ 5,482.09

#### 4. INDIANA CIVIL LEGAL AID FUND (ICLAF)

Started in 1997 from Indiana Legislature through the Indiana Supreme Court, board designated to create reserves and fund special projects not funded by the City/County/United Way operating budget. (ONB CHECKING + GA MM)

Total receipts since 1997 are \$288,410.64.

YEAR	BEGIN BAL	ICLAF INCOME	+ INT	- EXPENDED	END BAL
2006	\$ 63,810.63	\$18,663.53	\$1,895.65	\$15,761.66	\$68,608.15
2007	\$ 68,608.15	\$20,964.17	\$2,400.02	\$11,676.29	\$80,296.05
2008	\$ 80,296.05	\$25,149.36	\$1,140.10	\$30,799.53	\$81,422.88
2009	\$ 81,422.88	\$26,929.56	\$1,433.02	\$19,707.76	\$90,077.70
2010	\$ 90,077.70	\$26,942.36	\$2,468.01	\$12,411.85	\$107,076.22
2011	\$107,076.22				\$116,317.39

**5. UNITED WAY DONOR DESIGNATIONS (UWDD)**

2006	\$3,572.43
2007	1,996.37
2008	2,529.75
2009	1,717.65
2010	1,393.51

Current Balance (ONB Savings + 25K in GA MM)

**\$ 29,716.97****6. MISCELLANEOUS INCOME + LAW DAY UNRESTRICTED + INTEREST (M&I)**

Miscellaneous (ONB SAV)	1,861.23
Law Day Unrestricted Funds (LAW DAY SAV)	1,730.50
Interest (ONB SAV + GA MM + LAW DAY)	2,779.89
Current Balance	

**6,371.62****7. CLIENT TRUST ACCOUNT****218.09**

Attorney ethics require funds obtained from clients or received for clients be segregated from all other law firm funds and used for no other purpose. We must keep a balance in this account and should place it at an institution (German American Bank) paying into Indiana IOLTA.

**8. PETTY CASH****126.54****TOTAL****\$ 169,002.30****D. FUND DETAILS****1. MONEY MARKET ACCOUNT**

<u>German American</u>	(Acct #1611550)	
ICLAF	\$104,359.60	
UWDD	25,000.00	
PUB/LIT	4,000.00	
Plus interest	1,583.90	
Ending Balance		<b>\$ 134,943.50</b>

**2. SAVINGS ACCOUNTS**

<u>Old National Bank - Regular</u>	(Acct # 11001739744)	
Beginning balance	\$ 7,394.23	
Plus interest	.28	
Plus UWDD/Comb Fed Campaign	379.64	
Ending Balance		<b>7,774.15</b>

<u>Old National Bank - Law Day</u>	(Acct #1001739843)	
2010 Law Day (donor restricted)	\$ 640.00	
2011 Law Day (unrestricted)	\$ 1,730.50	
Plus interest	.04	
Ending Balance		<b>2,370.54</b>

### 3. CHECKING ACCOUNTS

<u>A. PUB/LIT Old National Bank</u>	(Acct # 401082482)	
Beginning balance	\$ 1,612.09	
Plus client loan payment	138.18	
Less expenditures	268.18	
<b>Ending Balance</b>		<b>1,482.09</b>
Receivables	400.00	<b>400.00</b>

<u>B. Old National Bank</u>	(Acct # 116889407)	
Beginning balance	\$ 22,845.00	
Plus Board Lunches	150.00	
Less Expenditures	1,307.61	
<b>Ending Balance</b>		<b>21,687.39</b>
ICLAF	\$ 11,957.79	
AD/GD	9,729.60	

C. German American Trust Account (Acct #3401049): **218.09**

### 4. PETTY CASH

Beginning balance	141.99	
Less expenditures	17.75	
Plus income	2.30	
<b>Ending Balance</b>		<b>126.54</b>

**TOTAL** **\$169,002.30**

### E. FUND PLACEMENT

GERMAN AMERICAN  
MONEY MARKET ACCT (#1611550) **134,943.50**

GERMAN AMERICAN  
Trust Account Checking (#3401049) **218.09**

OLD NATIONAL BANK  
Checking - Regular (#116889407) 21,687.39  
Checking - Jr. League (#401082482) 1,482.09  
Savings - Regular (#1001739744) 7,774.15  
Savings - Law Day (#1001739843) 2,370.54  
**TOTAL** **33,314.17**

**PETTY CASH** **126.54**

**RECEIVABLES PUB/LIT** **400.00**

**TOTAL** **\$ 169,002.30**

Spending an average of \$33,000 per month for operations, is 5 months of reserves.

I:\ALLDATA\COMMON\ADMINISTRATIVE\BUDGET FUNDS & ACTIVITIES REPORTS\2011 2<sup>nd</sup> QTR REPORT



# LEG. AID SOCIETY BUDGET - 2ND QUARTER 201

## CITY- COUNTY

	Year Allocation	Expenses or enc this qtr	Expenses year to date	Balance
Line Item				
111 Exe Dir SAH	\$73,319.00	\$19,739.36	\$35,248.86	\$38,070.14
113 St Atty #1 KG	\$71,695.00	\$19,302.08	\$34,468.00	\$37,227.00
114 Jr. Leg Sec LLE	\$17,078.00	\$4,598.04	\$8,210.78	\$8,867.22
115 Sr. Leg Sec VLB	\$26,665.00	\$7,178.73	\$12,819.16	\$13,845.84
119 Jr. Leg Sec #2	\$0.00	\$0.00	\$0.00	\$0.00
117 St Atty #2 GDS	\$57,812.00	\$15,565.62	\$27,795.75	\$30,016.25
197 Payout Account	\$0.00	\$0.00	\$0.00	\$0.00
190 Fica	\$19,602.00	\$5,136.78	\$9,134.37	\$10,467.63
191 Retirement	\$23,601.00	\$4,992.40	\$11,259.96	\$12,341.04
192 Gr. Insur.	\$0.00	\$0.00	\$0.00	\$0.00
193 Unemploy.	\$0.00	\$0.00	\$0.00	\$0.00
194 Work. comp.	\$0.00	\$0.00	\$0.00	\$0.00
199 Extra Help	\$9,666.00	\$2,803.12	\$4,940.62	\$4,725.38
260 Off. supply	\$1,500.00	\$341.77	\$949.05	\$550.95
300 Bond & Insur.	\$0.00	\$0.00	\$0.00	\$0.00
301 Other Insur.	\$900.00	\$0.00	\$0.00	\$900.00
312 Postage	\$400.00	\$0.00	\$0.00	\$400.00
313 Travel	\$0.00	\$0.00	\$0.00	\$0.00
314 Telephone	\$1,188.66	\$360.00	\$360.00	\$828.66
325 Law Books	\$1,345.00	\$0.00	\$1,000.00	\$345.00
328 Audit	\$0.00	\$0.00	\$0.00	\$0.00
3371 Hardware	\$0.00	\$0.00	\$0.00	\$0.00
3372 Software	\$0.00	\$0.00	\$0.00	\$0.00
341 Printing	\$0.00	\$0.00	\$0.00	\$0.00
342 Pub. Legals	\$0.00	\$0.00	\$0.00	\$0.00
345 Yellow pages	\$1,200.00	\$0.00	\$960.00	\$240.00
3520 Equip. Repair	\$0.00	\$0.00	\$0.00	\$0.00
354 Main. Agree.	\$3,400.00	\$716.22	\$1,436.47	\$1,963.53
360 Rent	\$27,742.00	\$0.00	\$13,864.93	\$13,877.07
364 Litigation	\$0.00	\$0.00	\$0.00	\$0.00
368 Malpractice	\$4,500.00	\$4,262.98	\$4,262.98	\$237.02
370 Dues and Sub.	\$500.00	\$0.00	\$500.00	\$0.00
373 Continue Ed.	\$200.00	\$0.00	\$0.00	\$200.00
399 Miscell.	\$0.00	\$0.00	\$0.00	\$0.00
421 Fur & Fix	\$0.00	\$0.00	\$0.00	\$0.00
422 Off Mach	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTALS</b>	<b>\$342,313.66</b>	<b>\$84,997.10</b>	<b>\$167,210.93</b>	<b>\$175,102.73</b>
Percent of year		24.83%	48.85%	51.15%

# LEGAL AID SOCIETY BUDGET - 2ND QUARTER 2011

## UNITED WAY

	Year Allocation	Expenses or enc this qtr	Expenses year to date	Balance
Line Item				
111 Exe Dir	\$9,218.00	\$2,482.14	\$4,432.39	\$4,785.61
113 St Atty #1	\$6,030.00	\$1,623.86	\$2,899.75	\$3,130.25
114 Jr. Leg Sec	\$5,373.00	\$1,446.47	\$2,582.99	\$2,790.01
115 Sr. Leg Sec	\$8,572.00	\$2,308.12	\$4,121.64	\$4,450.36
119 Jr. Leg Sec #2	\$0.00	\$0.00	\$0.00	\$0.00
117 StAtty#2	\$10,302.00	\$2,772.77	\$4,951.37	\$5,350.63
197 Payout Account	\$0.00	\$0.00	\$0.00	\$0.00
190 Fica	\$3,276.00	\$778.46	\$1,382.63	\$1,893.37
191 Retirement	\$0.00	\$0.00	\$0.00	\$0.00
192 Gr. Insur.	\$0.00	\$0.00	\$0.00	\$0.00
193 Unemploy.	\$0.00	\$0.00	\$0.00	\$0.00
194 Work. comp.	\$0.00	\$0.00	\$0.00	\$0.00
199 Extra Help	\$3,444.00	\$0.00	\$0.00	\$3,444.00
260 Off. supply	\$3,000.00	\$0.00	\$0.00	\$3,000.00
300 Bond & Insur.	\$200.00	\$0.00	\$0.00	\$200.00
301 Other Insur.	\$0.00	\$0.00	\$0.00	\$0.00
312 Postage	\$0.00	\$0.00	\$0.00	\$0.00
313 Travel	\$1,000.00	\$0.00	\$0.00	\$1,000.00
314 Telephone	\$400.00	\$0.00	\$0.00	\$400.00
325 Law Books	\$0.00	\$0.00	\$0.00	\$0.00
328 Audit	\$4,085.00	\$4,085.00	\$4,085.00	\$0.00
3371 Hardware	\$0.00	\$0.00	\$0.00	\$0.00
3372 Software	\$0.00	\$0.00	\$0.00	\$0.00
341 Printing	\$2,695.00	\$0.00	\$0.00	\$2,695.00
342 Pub. Legals	\$0.00	\$0.00	\$0.00	\$0.00
345 Yellow pages	\$0.00	\$0.00	\$0.00	\$0.00
3520 Equip. Repair	\$0.00	\$0.00	\$0.00	\$0.00
354 Main. Agree.	\$5,757.00	\$0.00	\$0.00	\$5,757.00
360 Rent	\$0.00	\$0.00	\$0.00	\$0.00
364 Litigation	\$0.00	\$0.00	\$0.00	\$0.00
368 Malpractice	\$0.00	\$0.00	\$0.00	\$0.00
370 Dues and Sub.	\$4,162.00	\$0.00	\$0.00	\$4,162.00
373 Continue Ed.	\$500.00	\$0.00	\$500.00	\$0.00
399 Miscell.	\$2,448.00	\$0.00	\$0.00	\$2,448.00
421 Fur & Fix	\$0.00	\$0.00	\$0.00	\$0.00
422 Off Mach	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	\$70,462.00	\$15,496.82	\$24,955.77	\$45,506.23
Percent of year		21.99%	35.42%	64.58%